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Attorneys for Defendant Meta Platforms, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:23-CV-00509-BO**

DAWN DYE, on behalf of herself and all others similarly situated,

Plaintiff,

V.

META PLATFORMS, INC.,

Defendant.

**DECLARATION OF DARCY C. HARRIS IN
SUPPORT OF DEFENDANT'S MOTION TO
DISMISS THE COMPLAINT**

ORAL ARGUMENT REQUESTED

I, Darcy C. Harris, declare as follows:

1. I am an attorney admitted to practice law in the State of New York. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and I represent Meta Platforms, Inc. (“Meta”) in the above-referenced action. I submit this declaration in support of Meta’s Motion to Dismiss the Complaint. Unless otherwise stated, the following facts are within my personal knowledge and, if called and sworn as a witness, I could and would testify competently to them.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Meta's Terms of Service dated July 26, 2022, downloaded from Meta's website at
https://www.facebook.com/legal/terms/plain_text_terms.

3. Attached hereto as **Exhibit 2** is a true and correct copy of Meta's Privacy Policy dated June 15, 2023, downloaded from Meta's website at
<https://mbasic.facebook.com/privacy/policy/printable/>.

4. Attached hereto as **Exhibit 3** is a true and correct copy of Meta's Cookies Policy dated November 2, 2023, downloaded from Meta's website at
<https://mbasic.facebook.com/privacy/policies/cookies/printable/>.

5. Attached hereto as **Exhibit 4** is a true and correct copy of Meta's Business Tools Terms dated April 25, 2023, downloaded from Meta's website at <https://www.facebook.com/legal/terms/businesstools>.

Executed this 1st day of December, 2023 in New York, New York.

/s/ Darcy C. Harris

Darcy C. Harris